



THE ASSAM GAZETTE

অসাধাৰণ

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ASSAM ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 21st October, 2024

The Assam Electricity Regulatory Commission (Electricity Supply Code) (Seventh Amendment) Regulations, 2024

No.AERC.280/2007/Part-I/62.- In exercise of powers conferred under Section 181(2) (x) read with Section 50 of the Electricity Act, 2003 and all other powers enabling in this behalf and after previous publication, the Assam Electricity Regulatory Commission, hereby makes the following regulations, to amend the AERC (Electricity Supply Code) Regulations, 2017 (hereinafter referred to as the “Principal Regulations”).

1. Short Title and Comments

- 1.1 These regulations shall be called the Assam Electricity Regulatory Commission (Electricity Supply Code) (Seventh Amendment), Regulations, 2024.
- 1.2 These regulations shall come into force from the date of their publication in the Assam Gazette.

2. Amendment in Regulation 1.4.1 Definitions

The Regulation 1.4.1 (59) of the Principal Regulations shall be replaced as,

(59)(a) “Occupier” means the person in occupation of the premises where energy is used or proposed to be used;

The following proviso shall be inserted after Regulation 1.4.1 (59) (a),

59)(b) "Owner" means the person who is having absolute right over the property and the expression owner includes the legal heirs;

The following proviso shall be inserted after Regulation 1.4.1 ,65 (a),

65(b) "Resident Welfare Association" (hereinafter referred to as the Association) means an association comprising all the property owners within a Co-operative Group Housing Society, Multi storied Building, Residential Colony, or a similar body registered with the State Government."

3. Amendment of Regulation 3.9.1 Standard cost of estimates

The following new proviso shall be inserted after Regulation 3.9.1 (b),

bb) The licensee shall make available connection charges online for connected load upto 150 kW.

For electrified areas up to 150 kW, the connection charges for new connection shall be fixed by the distribution licensee on the basis of the load, category of connection sought, and average cost of connection of the distribution licensee. The connection charges, in such cases, shall be paid at the time of application for new connection.

Provided that the applicant shall have the option to avail the prevailing actual cost-based method for calculating connection charges after necessary site visit, even simplified charges have been notified.

Provided that any deficit arising on account of new service connection shall not be allowed to be recovered in the True-up of that corresponding Financial Year.

4. Amendment in Regulation 3.10.3.1 Supply to multi-consumer complexes

The Regulation 3.10.3.1(a) of the Principal Regulations shall be replaced as,

- a) For the purpose of providing new power to a building or a group of buildings or an association having more than total load of 30 kW (35 kVA), power supply shall have to be provided through a separate distribution transformer of matching capacity. The cost of equipment and installation work of extension of L.T/H.T line, distribution transformer and cables / controls /breakers / panels, and all associated equipment and civil works shall be borne by the developer (the term include builder/society/consumers). All equipment's installations shall be as per the licensee's approved specification and under its supervision. The developer shall be responsible for safety and proper maintenance, repair, and replacement of all such equipment and infrastructure, associated with power supply to the complex.

The Regulation 3.10.3.1(b) of the Principal Regulations shall be replaced as,

- b) In all residential/commercial/ complexes/associations as well as in all multistoried buildings at the point of supply to the complex / building (which may be different from the point of commencement of supply to individual consumers of the complex), a suitable isolation device such as MCB, MCCB, etc. of requisite capacity to carry and break full load current is to be provided by the consumer in a conspicuous position, to completely isolate the power supply to the building complex.

The following new proviso shall be inserted after Regulation 3.10.3.1 (c),

- cc) The distribution licensee shall provide either a single point connection for the Association or individual connections for each and every owner, on the basis of choice mentioned at the time of application for connection and metering, billing, and collection shall be done accordingly.

The following new proviso shall be inserted after Regulation 3.10.3.1 (k),

- l) On the request of an Association or an owner of the flat or house in an Association or any other consumer, the distribution licensee shall provide a separate connection for supply of electricity for the Electric Vehicle charging system.

5. Amendment in Regulation 4.5.2 Temporary Power Supply

The Regulation 4.5.2 (c) of the Principal Regulations shall be replaced as,

For LT connections, temporary connections may be granted through prepaid /smart prepaid meters wherever technically feasible.

The table in Regulation 4.5.2 (p) of the Principal Regulations shall be replaced as,

Release of temporary connection	Time period
Where supply can be provided from existing network	2 working days from the date of receipt of all applicable charges by the distribution licensee
Where supply can be provided after extension of service line or enhancement of capacity of transformer	7 working days for LT connection and 45 working days for HT connection from the date of receipt of all applicable charges by the distribution licensee

6. Amendment in Regulation 5.3.2 Prepaid metering

The Regulation 5.3.2 of the Principal Regulations shall be replaced as,

“No Load Security deposit will be taken for a service with prepaid /smart prepaid meter.

However, the consumer will have to pay meter Security and meter Rent as specified under clause 5.3.1 (b).

For prepaid meters, the consumer will have to pay meter security and meter rent as specified in the Schedule for Miscellaneous Charges incorporated as Appendix IV. For smart prepaid meters, meter security and meter rent shall be approved by the Commission through separate orders.

Where an existing consumer who has deposited a security amount subsequently opts to receive supply through a prepaid/smart prepaid meter, or his postpaid connection is converted into a prepaid connection by Utility in accordance with statutory requirements, the amount of such security deposit shall, after deduction of all sum owing from such consumer, shall be refunded to such consumer on an equal daily installment basis, which will be added to the prepayment credit account of such consumer on a daily basis, from which the value of his future consumption is to be deducted. Such refund shall be completed within 12 months and no interest amount will be payable on such refunds. However, beyond 12 months an interest at the rate stated in clause 5.3.5 shall be payable to the consumer.”

7. Amendment in Regulation 5.3.6 Release of Security Deposit

The Regulation 5.3.6 of the Principal Regulations shall be replaced as,

“The security deposit shall be returned to consumer, upon termination of the agreement and after adjustment of all dues, within 60 days of completion of formalities. In case of delay beyond 60 days period, an interest at the rate stated in clause 5.3.5 shall be payable to the consumer.

For such consumers whose postpaid connection is converted into a Prepaid/Smart Prepaid connection, the security deposit, after deduction of all sum owing from such consumer, shall be refunded to such consumer on an equal daily installment basis, which will be added to the prepayment credit to the account of such consumer on a daily basis, from which the value of his future consumption is to be deducted. Such refund shall be completed within 12 months and no interest amount will be payable on such refunds. However, beyond 12 months an interest at the rate stated in clause 5.3.5 shall be payable to the consumer.”

8. Amendment in Regulation 5.9 Review of contract demand

The following proviso shall be inserted after Regulation 5.9 (a),

“Provided that after installation of prepaid and all types of smart prepaid meters, the revision of the Contract demand/Connected load of the consumer, if any, based on the actual recorded maximum demand shall be as under:

In case of increase in recorded maximum demand, the lowest of the monthly maximum demand, where the recorded maximum demand has exceeded the Contract demand/Connected

load limit at least three times during a Financial Year, shall be considered as the revised Contract demand/Connected load, and the same shall be reset from the billing cycle in next Financial Year. The consumers shall be informed of this change through SMS/Mobile app/email.”

9. Amendment in Regulation 6.2.1 Requirement of meters

The Regulation 6.2.1 (d) of the Principal Regulations shall be replaced as,

“The meters for new connections shall be of following type(s):

- i) For LT connections – Digital meters with MDI (Maximum Demand Indicator) or Smart Prepaid Meters or Normal Pre-Payment meters.
- ii) For HT/EHT consumers – 3 Phase Tri-vector meters with MDI or 3-Phase CT Operated Smart Meters. The meters shall have a facility for—Time of the Day metering and storage of at least 45 days. The consumer shall have the option to install meter having facility to record peak hours MDI in addition to above features.
- iii) Smart meter having Pre-paid facilities shall be introduced in phased manner. The meters shall conform to the technical requirements as prescribed in Central Electricity Authority (Installation and Operation of meters) Regulations 2006 and its subsequent amendments.”

10. Amendment in Regulation 6.2.4 Supply and installation of meters and MCBs/CBs

The Regulation 6.2.4 (l) of the Principal Regulations shall be replaced as,

“It shall be the responsibility of the licensee to maintain the meter and keep it in working order at all times. The licensee may also have a provision for such metering system where the display unit is at the consumer premises and the metering unit is outside the premises such as on a pole etc. In such cases, the responsibility of safe custody of the metering unit shall lie with the licensee. Licensee shall also make available information, such as consumption, load etc to consumers having smart meters installed at regular intervals, through a mobile app or their web portal.”

11. Amendment in Regulation 6.2.6.1 Schedule reading of meters

The proviso in the Regulation 6.2.6.1 (a) shall be replaced as,

“Provided also that the licensee shall not generate more than two provisional bills for a consumer during one Financial Year if the licensee is not able to read the meter. If the provisional billing continues for more than two billing cycles except under extraordinary situation due to force majeure, the consumer may refuse to pay the dues until the bill is raised by the licensee as per actual meter reading and the supply to such consumers shall not be disconnected.”

The following new proviso shall be inserted after Regulation 6.2.6.1 (a),

“aa) In case of smart prepaid, normal prepaid meters, and all types of smart meters, the meters shall be read remotely at least once in a day.”

The Regulation 6.2.6.1 (e) of the Principal Regulations shall be replaced as,

“Status of the meter and/or its seal along with the meter reading details for last six billing cycles of each consumer shall be made available on the licensee’s website.

In case of smart prepaid meters, the licensee shall make available such information like history of recharge payment for last twelve transactions, consumption of electricity etc, at regular intervals through a mobile app or web portal.”

12. Amendment in Regulation 6.2.7.2 Unscheduled Testing of meters

The Regulation 6.2.7.2 (b) shall be replaced as,

“A consumer may request the licensee to test the meter on his premises if he doubts its accuracy, by applying to the licensee in the format given in Format 11 to this Code, along with the requisite testing fee. The testing fee shall be as specified in Appendix IV.

In case of Smart Prepaid Meters, provided that in case of complaint by a consumer regarding meter reading not being commensurate with his consumption of electricity, distribution licensee shall install an additional meter within five days from the date of receipt of the complaint, to verify the consumption, for a minimum period of three months.

Provided that no test fee shall be charged from the consumer at the time of reporting. If the meter is found to be defective or burnt due to technical reasons attributable to the consumer, the consumer shall bear the cost of new meter and test fee shall be charged from the consumer through subsequent bills.”

13. Amendment in Regulation 6.3.1 General

The Regulation 6.3.1 (c) of the Principal Regulations shall be replaced as,

“c) The Licensee shall also intimate the consumer of bill dispatch through short message service (SMS) /email, if the consumer has furnished requisite details. And the bill shall also be made available for download from the web portal.”

The following new proviso shall be inserted after Regulation 6.3.1 (c),

“cc) The data regarding energy consumption shall be made available to the consumer, through Web portal/mobile application /Short Message Service and the like, provided that the consumers having smart pre-payment meters shall also be given the data access for checking their consumption and balance amount atleast on daily basis.”

The following new proviso shall be inserted after Regulation 6.3.1 (e),

“f) The bill shall also be made available in local/regional language other than English.”

14. Amendment in Regulation 6.3.2 Billing frequency and serving of bills

The Regulation 6.3.2 (a) of the Principal Regulations shall be replaced as,

“A billing cycle shall normally be 30 days and may be 60 days in special circumstances as may be decided by the licensee with intimation to the consumer.

In case of smart prepaid meters, the billing cycle shall normally be 1 (one) day.”

15. Amendment in Regulation 6.3.4 Billing Demand

The following new proviso shall be inserted after Regulation 6.3.4,

“ However, in case of smart meter where maximum demand recorded exceeds the connected Load/contract demand, in a month, the bill, for that billing cycle, shall be calculated based on the actual recorded maximum demand and consumers shall be informed of this change through short message service/mobile application/ email.

Proper alert shall also be forwarded to the consumer that if connected Load/contract demand exceeded at least 3 times during a Financial Year, then action would be taken as per Regulation 5.9 of this code.”

16. Amendment in Regulation 6.3.5 Contents of the energy bill (model bill format)

The following new proviso shall be inserted after Regulation 6.3.5 (i),

“(j) The consumption statements shall also be furnished for smart prepaid meters to the Consumers, as and when demanded in similar formats such that the quantum of electricity consumed and other important parameters are included.”

17. Amendment in Regulation 6.3.11 Billing in case of Excess Load

The following new proviso shall be inserted after Regulation 6.3.11,

“a) In case of the installation of smart meters, no penalty shall be imposed on the consumer, based on the maximum demand recorded by the smart meter, for the period before the installation date.”

18. Amendment in Regulation 6.3.12 Payment of Bills

The following new proviso shall be inserted after Regulation 6.3.12 (d),

“Whereas, in the case of smart prepaid meters, the 15-day disconnection notice period is not applicable. However, the licensee is required to provide an emergency credit facility of up to Rs. 300/- before initiating any disconnection of supply. Consumers who have exhausted their prepaid balance but are within the credit limit set by the licensee shall not be disconnected until the credit limit is breached. Disconnection will only occur once the credit limit has been fully exhausted.

Also, the licensee shall be required to send atleast 3 numbers of advance intimations to consumers with low balances, in the form of SMS or email notifications, before initiating any disconnection of power supply due to non-recharge by the consumer.”

19. Amendment in Regulation 6.3.15 Late Payment Surcharges

The following new proviso shall be inserted after Regulation 6.3.15,

“In case of prepaid mode of electricity, no late payment surcharges shall be applicable. Moreover, late surcharges shall not be applicable in case of such arrear amounts which is being recovered by the licensee in the form of daily installments upon conversion from postpaid to prepaid.”

20. Amendment in Regulation 6.3.17 Recovery of Arrears

The following new proviso shall be added under Regulation 6.3.17 (c),

“d) In case of conversion from postpaid to prepaid, an appropriate system for recovery of arrears shall be put in place which should cover the following prospects:

- i) Licensee may analyse the overall arrears of the consumers at the time of conversion from postpaid meters to prepaid Smart meters.
- ii) The monthly recovery schedule of the arrears should be such that under no circumstances should the amount of monthly deduction is beyond 25% of the average monthly billing based on the consumption of the last three months.
- iii) The recovery of the arrears so determined for a month may be carried out over all the days of the month in equal daily installments, which shall be deducted from the recharge balance available in the consumers.
- iv) Consumers may be routinely advised on the amount recovered as arrears through notification / SMS.
- v) Consumers could also be provided an option to opt in for a one-time recovery, or part payment of the recovery, if he decides to opt for the same.”

21. Amendment in Regulation 8.2.1 Disconnection due to non-payment of bill amount

The following new proviso shall be added under Regulation 8.2.1

“ In case of smart prepaid meters, disconnection notice period of 15 days is not applicable. However, licensee shall be required to send at least 3 numbers of advance intimations to the consumers having low balances, in the form of SMS or email notification, before initiating any disconnection of power supply due to non-recharge by the consumer upon exhaustion of prepaid balance. Further, license is required to provide an emergency credit (upto Rs.300/-) before initiating any disconnection of supply.

Consumers having exhausted their prepaid balance, but is within the credit limit set by the licensee, shall not be disconnected till the credit limit is breached. Only after exhaustion of the credit limit, such consumers shall be disconnected.”

22. Amendment in Regulation 8.2.3 Reconnection/Restoration of Power Supply

The following new proviso shall be added under Regulation 8.2.3,

“In case of smart prepaid consumers, the complete process of recharging, post successful transaction by consumer, to be completed and recharge amount to be reflected in the consumers’ account within 15 minutes. In case of recharge done after disconnection, meter to automatically reconnected within 15 minutes after successful transaction.”

23. Amendment in Appendix- IV General and Miscellaneous Charges

The Appendix-IV Sl.no.3 Meter test at 2nd, 3rd and 4th Particulars shall be replaced as,

“Single phase (static) including Smart prepaid/ prepaid meter

3 Ph, 4 Wire meter, without CT including Smart Prepaid/Prepaid meter

3 Ph, 4 Wire meter, with CT including Smart Prepaid/Prepaid meter”

The new proviso shall be added at Appendix-IV Sl.no.6 Disconnection and Reconnection as,

“Smart prepaid/Prepaid meter:

Disconnection – Rs. 0.00

Reconnection – Rs. 0.00”.

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Secretary,

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